

Notice of Allowability

Application No.

10/730,310

Examiner

William L. Miller

Applicant(s)

BILLINGS, JAMES O.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing of 12-5-2003.
2. ☒ The allowed claim(s) is/are 2.
3. ☒ The drawings filed on 05 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 04122005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Billings on 04-12-2005.

The application has been amended as follows:

In the specification:

Page 6, line 9, before "radius" insert --1/2"--;

Page 6, line 13, after "continuous" insert --flanged edge--; and

Page 6, line 18, change "lip" to --flanged edge--.

In the claims:

Cancel claim 1; and

Add the following new claim 2;

--Claim 2. (New) In combination, a one piece integrally molded plastic tray, and a mailbox having a front door, the combination comprising:

the tray having a rectangular profiled bottom surrounded by three elevated sides and an open front end for mail insertion and removal, the sides defining a left side, right side, and rear side;

the sides including at the top thereof a continuous flanged edge for rigidity;

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the tray removably located inside the mailbox and sized such that there is clearance between the rear side of the tray and the rear of the mailbox when the mailbox door is closed;

the tray has three equally raised ribs on the bottom and two triangular rear bottom corners for rigidity;

the tray has approximately a 1/2" radius around the inside periphery joining the three sides to the bottom and blending into the triangular corners thereby allowing the tray to be manufactured from a thin sheet of plastic while providing sufficient rigidity;

the front of the tray bottom including a raised lip defining a handle; and

a 1/8" thick soft rubber pad adhesively attached to the handle to prevent the users' fingers from slipping from the handle when extending the tray from the mailbox to retrieve the mail.--

2. The following is an examiner's statement of reasons for allowance: Regarding claim 2, Billings US#2002/0109005 discloses in combination, a one piece integrally molded plastic tray 1, and a mailbox having a front door (abstract), the combination comprising: the tray having a rectangular profiled bottom 2 surrounded by three elevated sides and an open front end for mail insertion and removal, the sides defining a left side 4, right side 3, and rear side 5; the sides including at the top thereof an outwardly extending continuous flanged edge 10 for rigidity; the tray removably located inside the mailbox and sized such that there is clearance between the rear side of the tray and the rear of the mailbox when the mailbox door is closed; the tray has three equally raised ribs 11-13 on the bottom and two triangular rear bottom corners 6,7 for rigidity; the tray has approximately a 1/2" radius around the inside periphery joining the three sides to the bottom and blending into the triangular corners allowing the tray to be manufactured from a thin

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sheet of plastic while providing sufficient rigidity; and the front of the tray bottom including a raised lip 8 defining a handle.

3. Billings fails to disclose a 1/8" thick soft rubber pad adhesively attached to the handle to prevent the users' fingers from slipping from the handle when extending the tray from the mailbox to retrieve the mail. Although applying rubber to a handle to facilitate gripping is known as evidenced by Landsberger (US#4389777) (see Fig. 4 and rubber sleeve 60), Billings teaches away from including a rubber pad attached to the handle as the handle includes raised ribs 9.1-9.6 thereon. Therefore, it would not have been obvious to one of ordinary skill in the art at to modify Billings in view of the teachings of Landsberger to include a 1/8" thick soft rubber pad adhesively attached to the handle to prevent the users' fingers from slipping from the handle when extending the tray from the mailbox to retrieve the mail.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

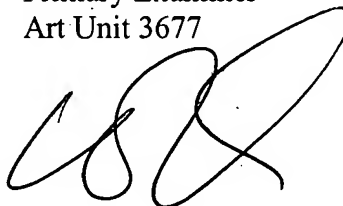
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703 306 4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller
Primary Examiner
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A handwritten signature in black ink, consisting of a stylized 'W' followed by a large, loopy 'M' and a trailing flourish.

WLM